

**EXHIBIT B - CONDITIONS OF APPROVAL**

**Approved Development**

1. This approval authorizes
  - a. The phased expansion of an existing equestrian facility previously approved under Minor Use Permit (DRC2007-00099). At project completion, the proposed expansion will total 16 acres and will include equestrian related structural and non-structural improvements on an as-needed basis. Structural improvements anticipated include a 49,416 square-foot covered riding arena and other agricultural accessory structures of various sizes and dimensions. Non-structural uses include paddock areas, uncovered riding arenas, and trails. Future structures will be agrarian in nature and consistent with the existing development on the site (equestrian training, breeding, and rehabilitation programs). The project will result in the disturbance of approximately 16 acres on a 53 acre parcel.
  - b. No special events are authorized.
  - c. 10 training clinics annually are authorized, as approved under DRC2007-00099.

**Conditions required to be completed at the time of application for construction permits**

***Site Development***

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan.

***Lighting***

3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

***Fire Safety***

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in a Fire Safety Plan prepared by the Cal Fire/County Fire Department for this project.

***Services***

5. **At the time of application for construction permits**, the applicant shall submit evidence that there is adequate water to serve the proposal, on the site.
6. **At the time of application for construction permits**, the applicant shall submit evidence that the septic system is adequate to serve the proposal, or that one can be installed on the site.
7. If waste water flows exceed 2,500 gallons per day, sewage disposal shall be in accordance with the waste discharge requirements issued by the Regional Water Quality Control Board.

***Biological Resources***

8. **At the time of application for construction permits**, the applicant shall clearly show

on the project plans the type, size, and location of all oak trees within 50 feet of construction activities. No oak trees shall be removed. The project plans shall also show the type and location of tree protection measures to be employed. All oak trees within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

In the event oak trees are removed, the applicant shall submit an oak tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 2:1 ratio to mitigate for trees impacted. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used. Replacement oak trees shall be from vertical tubes or deep, one-gallon container sizes.

#### ***Grading, Drainage, Sedimentation and Erosion Control***

9. **At the time of application for construction permits**, the applicant shall submit a drainage plan for review and approval by the County Public Works Department in accordance with Section 22.52.110 of the Land Use Ordinance.
10. **At the time of application for construction permits**, the applicant shall submit a complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120 of the Land Use Ordinance.
11. **At the time of application for construction permits**, the applicant shall show the 100 year flood hazard boundary on the project plans.
12. **At the time of application for construction permits**, the applicant shall submit evidence to the Department of Public Works that all new structures comply with County flood hazard construction standards, Section 22.14.060 of the Land Use Ordinance.

#### **Conditions to be completed prior to issuance of a construction permit**

##### ***Fees***

13. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

14. **Prior to issuance of a construction permit**, the applicant shall pay the any applicable housing impact fees as required by Section 22.12.080.F.1.

**Agriculture**

15. **Prior to issuance of construction permits**, the applicant shall retain a qualified individual to: 1) verify that the applicant maintains a minimum of ten acres of a qualifying agricultural use on the property, and; 2) prepare monitoring reports, on an annual basis, for the duration of the Williamson Act contract. Prior to issuance of construction permits, the applicant shall submit documentation verifying the retained monitor to the County Agriculture Department and County Planning and Building Department. The first monitoring report shall be due one year following final inspection, and subsequent reports shall be submitted on an annual basis, due within one year of each previous report.

**Air Quality**

16. All required PM10 measures shall be shown on applicable grading or construction plans. In addition, the developer shall designate personnel to insure compliance and monitor the effectiveness of the required dust control measures (as conditions dictate, monitor duties may be necessary on weekends and holidays to insure compliance); the name and telephone number of the designated monitor(s) shall be provided to the APCD **prior to construction/ grading permit issuance**.
- a. Reduce the amount of the disturbed area where possible;
  - b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
  - c. All dirt stock-pile areas should be sprayed daily as needed; and,
  - d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

**Fish and Game**

22. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
- a. Submit a copy of all such permits to the Department of Public Works OR
  - b. Document that the regulatory agencies have determined that said permit is no longer required.

**Conditions to be completed during construction**

17. **During construction and ground disturbing activities**, all refueling, maintenance, and staging of equipment and vehicles will occur at least 500 feet from the existing fence at the southwest border of the existing pasture, and not in a location from where a spill would drain directly toward the Salinas River. **Prior to commencement of grading and construction activities**, the applicant shall ensure that a plan is in place for prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.

**Conditions to be completed prior to occupancy or final building inspection/establishment of the use**

18. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from Cal Fire of all required fire/life safety measures.
19. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

***Grading, Drainage, Sedimentation and Erosion Control***

20. All areas disturbed by grading activities shall be revegetated with temporary or permanent erosion control devices. Devices must be installed in conjunction with any grading and must effectively control siltation

**On-going conditions of approval (valid for the life of the project)**

21. Ongoing condition of approval (valid for the life of the project), and in accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the Templeton B Road Improvement Fee for each future building permit requiring it in the amount prevailing at time of payment.

***Agriculture***

22. **For the duration of the Williamson Act contract**, the applicant shall ensure that the property maintains a minimum of ten acres of a qualifying agricultural use on the property, such as irrigated pasture.

***Vector Control***

23. All animal enclosures, including but not limited to stalls, and arenas shall be maintained free from litter, garbage and the accumulation of manure, so as to discourage the proliferation of flies, other disease vectors and offensive odors. Site shall be maintained in a neat and sanitary manner.

***Erosion Control***

24. In no case shall the horse facility operation be managed or maintained so as to produce sedimentation on any public road, adjoining property, or in any drainage channel. In the event such sedimentation occurs, the keeping of animals outdoors on the site shall be deemed a nuisance and may be subject to abatement in compliance with Charter 22.74 (Enforcement).

***Biological Resources***

25. **Unless previously approved by the county**, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).
26. The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree

dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

Smaller trees (smaller than 5 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

27. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
28. All conditions of this approval run with the land and shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.